

REMARKS

Applicants thank the Examiner for the very thorough consideration given the present application.

Claims 19-39 are now present in this application. Claims 19, 26, 29 and 37 are independent.

Claims 1-18 have been canceled, and claims 19-39 have been added. Reconsideration of this application, as amended, is respectfully requested.

I. Priority Under 35 U.S.C. § 119

Applicants thank the Examiner for acknowledging Applicants' claim for foreign priority under 35 U.S.C. § 119, and receipt of the certified priority document.

II. Information Disclosure Citation

Applicants thank the Examiner for considering the references supplied with the Information Disclosure Statement filed July 22, 2003, and for providing Applicants with an initialed copy of the PTO-1449 form filed therewith.

III. Drawings

Applicants have not received a Notice of Draftsperson's Patent Drawing Review PTO-948 indicating whether or not the formal drawings have been approved by the Draftsperson. Since no objection has been received, Applicants assume that the drawings are acceptable and that no further action is necessary. Confirmation thereof in the next Office Action is respectfully requested.

IV. Rejection Under 35 U.S.C. § 101

Claims 1-18 stand rejected under 35 U.S.C. § 101 as claiming the same invention as claims 1-14 and 25-28 of U.S. Patent No. 6,614,740. This rejection is respectfully traversed.

While not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the instant application, Applicants respectfully submit that claims 1-18 have been cancelled, thus rendering this rejection under 35 U.S.C. § 101 moot. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

V. Claims 19-39

Claims 19-39 have been added for the Examiner's consideration.

Independent claims 19, 26, 29 and 37 recite combinations of steps in a

method for detecting a non-writable region of an optical recording medium which are not disclosed or made obvious by the prior art.

Applicants submit that claims 20-25, 27, 28, 30-36, 38 and 39 depend, either directly or indirectly, from independent claims 19, 26, 29 and 37, and are therefore allowable based on their dependence from independent claims which are believed to be allowable, as well as for reciting further limitations which are not disclosed or made obvious by the prior art.

Consideration and allowance of claims 19-39 are respectfully requested.

VI. Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone James T. Eller, Jr., Registration No. 39,538, at (703) 205-8000, in the Washington, D.C. area.

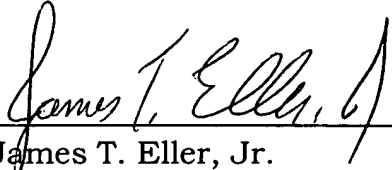
Prompt and favorable consideration of this Amendment is respectfully requested.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicants respectfully petition for a one (1) month extension of time for filing a reply in connection with the present application, and the required fee of \$120.00 is attached hereto.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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